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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,783	11/07/2000	Hideto Miyazaki	199322US2	8390

22850 7590 10/07/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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SINGH, SATWANT K

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/706,783

Applicant(s)

MIYAZAKI ET AL.

Examiner

Satwant K. Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1-8 and 17 is/are allowed.  
6) ☒ Claim(s) 9 and 16 is/are rejected.  
7) ☒ Claim(s) 10-12 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 07 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/4/05, 9/22/05.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the office action filed on 19 April 2005.

### ***Response to Arguments***

2. Applicant's arguments, see Applicant's remarks, filed 19 April 2005, with respect to Yamazaki have been fully considered and are persuasive.

### ***Allowable Subject Matter***

3. Claims 1-8, 13-15, and 17 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: Claims 1, 5, and 13 of the current application teaches similar subject matter as the prior art of Yamazaki (US 6,563,603) and Asahi (US 6,603,570). However claims 1, 5, and 13 are allowable for the reasons pointed out by Applicants remarks (page 3, 2<sup>nd</sup> paragraph, page 4, 1<sup>st</sup>-2<sup>nd</sup> paragraphs).
5. Claims 2-4, 6-8, 13-15, and 17 are allowable for being dependent on an allowable base claim.
6. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 9 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Asahi (US 6,603,570).

9. Regarding Claim 9, Asahi discloses an image processing apparatus (Fig. 3) comprising: an entirety controlling unit (CPU 114) connected to at least two units out of an image reading unit for reading image data (CCD 109), an image memory control unit which controls an image memory so as to write/read the image data, an image processing unit which subjects the image data to an image processing (image processor 111) and an image writing unit for writing the image data on paper, wherein said entirety controlling unit controls processing between said units and transmission/reception of the image data between the units (CPU exercises operational control) (col. 7, lines 39-53); and a storage unit provided with said image processing unit (MEM 116), wherein said storage unit stores a processing information on a content of the image processing with respect to the image data (memory 116 is used to store the control program for the CPU 114) (col. 7, lines 50-53); wherein said image processing unit subjects the image data to the image processing based on the processing

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information stored in said storage unit (memory is used also as a work area for the CPU 114) (col. 7, lines 50-53); and said entirety controlling unit controls the processing information until the completion of the reading of the processing information when reading the processing information stored in said storage unit (CPU exercised control of the image processor 111 and the I/F 113 in accordance with the setup entered at the monitor/operation unit 300) (col. 7, lines 39-63).

10. Regarding Claim 16, Asahi discloses an image processing apparatus, wherein the image processing includes editing the image data (CPU permits the image processor to perform trimming) (col. 7, lines 39-53).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Satwant Singh*  
skS

Satwant K. Singh  
Examiner  
Art Unit 2626

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